

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ABCO STEEL DOOR, LLC

and

Case 02-CA-136635

UNITED FOOD AND COMMERCIAL
WORKERS LOCAL 342

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-1-JNEFVJ is denied.²

The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).³

Dated, Washington, D.C., February 4, 2015

MARK GASTON PEARCE,	CHAIRMAN
PHILIP A. MISCIMARRA,	MEMBER
KENT Y. HIROZAWA,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² We also deny the General Counsel's request "that the Employer be directed to produce all the materials sought in the Subpoena no later than five (5) days after the Board issues its order in this matter." The General Counsel has failed to offer any argument in support of this request.

³ The General Counsel has indicated in his opposition brief that he is willing to modify the subpoena by limiting the requested time period in paragraph 1 to April 1, 2014 through the present. In addition, the General Counsel states in his opposition brief that he "will agree to not release the information sought in the Subpoena to other parties and to return any documents to the Charged Party upon the completion of the investigation." In considering the petition to revoke, we have evaluated the subpoena as modified in this manner.